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REMARKS

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

Claims 6-14 are rejected, under 35 U.S.C. § 103, as being unpatentable over Hrazdera (United States Patent No. 6,942,595) in view of Applicant's Admitted Prior Art (e.g., EP 0 511 480 B1). The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

Before discussing the applied art, the Applicant notes that the presently claimed invention relates to a method of operating a drive motor driving both a tractor and a trailer, via a traveling power takeoff shaft. The traveling power takeoff shaft is connected to the drive motor and has at least three discrete, shiftable power takeoff stages. One of a wheel speed and a vehicle speed is determined and the traveling power takeoff shaft is electronically matched, via a motor speed of rotation, to a ratio of at least the determined vehicle or the determined wheel speed.

The method comprises the steps of shifting a power takeoff stage to a corresponding next higher or a next lower of the at least three discrete, shiftable power takeoff stages, upon attainment of a higher or a lower threshold value of the drive motor speed of rotation, so as to maintain optimal drive so that both the tractor and the trailer travel together with one another substantially as an integrated unit, e.g., the towed trailer travels at the same speed as the vehicle.

Turning now to the applied art, the base reference of Hrazdera '595 relates to a control system for the drive of a PTO of a tractor. The tractor includes an engine, a CVT directly connected to the engine via a shaft, a second shaft which extends from the CVT to a PTO and a control device including a processor which processes a number of input signals from the tractor and the implement attached to the PTO and passes output signals to the CVT for the drive ratio to be obtained. Specifically, Hrazdera '595 describes the control system for being used with a hydraulic lift mechanism to be attached to the tractor/PTO and monitored by the control device.

In view of the above, it is respectfully submitted that Hrazdera '595 only pertains to a system with a drive having a PTO *comprising a CVT connected to a motor via a shaft*, but does

10/4/10 3:01 PM

10/590,588

not pertain to a system for driving a PTO *having at least three discrete, shiftable power takeoff stages which are connected to the drive motor*, as presently claimed. That is, it is respectfully submitted that as Hrazdera '595 only relates to and discloses the use of a CVT in the drive train for driving a PTO and thus fails in any way to teach, suggest, disclose or remotely hint at the use of at least three discrete, shiftable power takeoff stages, as presently claimed. In particular, since a CVT transmission has an infinite amount of effective gear ratios, between a minimum and a maximum value, a CVT is not a transmission having at least three discrete, shiftable power takeoff stages (gears), as presently claimed.

Furthermore, it is respectfully submitted that Hrazdera '595 only pertains to the use of a control system having a towed implement including a lift mechanism, but does not pertain to a drive motor for *driving both a tractor and driving a trailer via the PTO shaft*. That is, Hrazdera '595 fails in any way to teach, suggest, disclose or remotely hint at the use a drive motor for driving a tractor and also driving a PTO which drives a trailer, but rather more particularly specifically relates to the use of a drive motor for driving a tractor and driving a PTO *for operating a hydraulic lift implement*. Accordingly, it is respectfully submitted that Hrazdera '595 thus essentially teaches away from the presently claimed invention.

Finally, it is respectfully submitted that Hrazdera '595 only pertains to the use of a CVT *for driving a PTO*, but does not pertain to the use of "a conventional transmission," as described by the Applicant and cited by the Examiner. It is the Applicant's understanding that Hrazdera '595 refers to a "conventional...driving transmission" as a means for driving an "agricultural vehicle," *not* as the means of driving a PTO, as alleged by the Examiner. (See column 4, lines 33-37). It is respectfully submitted by the Applicant that Hrazdera '595 emphasizes that the disclosed control system, for the drive of a PTO, was employable on an agricultural vehicle having either a conventional or a CVT *vehicle* driving transmission, not that the disclosed control system for the drive of a PTO could interchange the CVT for a "conventional transmission," as suggested by the Examiner. In further support, and as previously presented in the official response dated February 12, 2010, Hrazdera '595 discloses the use of a clutch [and necessary components for operating a gearbox] as being omissible, "no longer necessary" and a "compromise" in comparison to the functional advantages of the control system for driving

10/4/10 4:28 PM

- 7 -

10/590,588

the PTO as described by Hrazdera '595. (Column 6, lines 5-25). Therefore, it is respectfully submitted, that Hrazdera '595 fails in any way to teach, disclose, suggest or remotely hint at the use of a "conventional transmission" for driving a PTO, but rather only pertains to the use of a CVT for driving a PTO.

Turning now to the Applicant's Admitted Prior Art, this reference merely relates to changeable transmission for the drive of a power take-off shaft as applied to a farm tractor. It is respectfully submitted that, and for similar reasons to those stated above, the Applicant's Admitted Prior Art fails in any way to teach, suggest, disclose or remotely hint at *a traveling power takeoff shaft, having at least three discrete, shiftable power takeoff stages, electronically matched, via a motor speed of rotation, to a ratio of at least one of the determined vehicle speed and the determined wheel speed*, as presently claimed.

It is to be noted that amended independent claims 10 and 14 recite similar limitations and/or features to those features discussed above with respect to amended independent claim 6. As such, in view of the forgoing amendments and remarks, it is respectfully submitted that amended independent claims 10 and 14 are also now patentable over the applied art. Additionally, as claims 7-9, 15 and 16, claims 11-13, 17 and 18 and claims 19 and 20 depend, either directly or indirectly, from independent claims 6, 10 and 14, respectively, all of those dependent claims are also now believed to be patentable over the cited references, in view of the forgoing reasons.

In summation, the Applicant acknowledges that the additional reference the Applicant's Admitted Prior Art may arguably relate to the feature(s) indicated by the Examiner in the official action. Nevertheless, the Applicant respectfully submits that the combination of the base reference of Hrazdera '595 with this additional art of the Applicant's Admitted Prior Art still fails to in any way teach, suggest, disclose or remotely hint at the above distinguishing features of the presently claimed invention. As such, all of the raised rejections should be withdrawn at this time in view of the above amendments and remarks.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

10/4/10 3:01 PM

- 8 -

10/590,588

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejections or applicability of the Hrazdera '595 and/or Applicant's Admitted Prior Art references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


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